

## REMARKS

Applicant requests favorable reconsideration and allowance of this application in view of the foregoing amendments and the following remarks.

Claims 4, 5, 7-10, 14, 18, and 19 are pending in this application, with Claims 4, 14, 18, and 19 being independent. Claim 20 has been cancelled without prejudice.

Claims 4, 14, 18, and 19 have been amended. Applicant submits that support for the amendments can be found in the original disclosure at least, for example, at page 26, lines 9-24. Therefore, no new matter has been added.

Claims 4, 5, 7-10, 14 and 18-20 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,216,724 (Suzuki) in view of U.S. Patent No. 6,674,444 (Tahara et al.). Applicant respectfully traverses this rejection for the reasons discussed below.

As recited in independent Claim 4, the present invention includes, *inter alia*, the features of selection means for selecting at least one of a plurality of different discrimination processes based on an operation by a user who inputs a password, in a case where a user inputs the password and control means for causing discrimination means to discriminate whether image data is a specific image using the selected discrimination process and controlling a process of the image data in accordance with a discrimination result. With these features, control over which discrimination process is used to detect a watermark can be limited to a user having a password. Applicant submits that the cited art fails to disclose or suggest at least these features.

Suzuki discloses an apparatus that discriminates whether an input image is a predetermined image using a method that is already known. In particular, the disclosed

apparatus detects a position and angle of a watermark (i.e., a red stamp mark). The Examiner asserts that a plurality of different discrimination processes correspond to registers 601-606 and comparators 607-612 of that patent. However, even if that disclosure were properly deemed to be a plurality of discrimination processes, Applicant submits that the outputs of the comparators are not selected based on an operation by a user who enters a password.

Tahara fails to remedy the above-noted deficiencies of Suzuki. Tahara merely discloses inputting a password and allowing printing if the password is correct. However, there is nothing in that patent to disclose or suggest modifying Suzuki to select a discrimination process based on an operation by a user who inputs a password and performing discrimination using the selected discrimination process.

Accordingly, Applicant submits that the present invention recited in independent Claim 4 is patentable over the cited art, whether that art is considered individually or taken in combination.

Independent Claims 14 and 18 are, respectively, a method claim and a computer readable memory claim reciting features similar to those of Claim 4. Claims 14 and 18 are believed patentable for reasons similar to Claim 4.

Regarding independent Claim 19, the present invention recited in that claim includes, among others, the feature wherein a plurality of different discrimination processes include at least one process implemented by hardware and at least one process implemented by software, and the discrimination process implemented by software is a process for detecting a digital watermark. Applicant submits that the cited art fails to

disclose or suggest at least this feature, whether that art is considered individually or taken in combination.

The dependent claims are believed patentable for at least the same reasons as the independent claims, as well as for the additional features they recite.

In view of the foregoing, Applicant submits that the present application is in condition for allowance. Favorable reconsideration, entry of this Amendment, withdrawal of the outstanding rejection, and an early Notice of Allowance are requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'B. L. Klock', is written over a horizontal line.

Attorney for Applicant  
Brian L. Klock  
Registration No. 36,570

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200  
BLK/mls

DC\_MAIN 213925v1